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10/802,537	03/17/2004	Christopher W. Blackburn	1842.031US1	3506
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EXAMINER PHILLIPS, III, ALBERT M				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/802,537

**Applicant(s)**

BLACKBURN ET AL.

**Examiner**

Albert Phillips

**Art Unit**

2169

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 and 14-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 14-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

This office action is in response to remarks and amendments filed on 10/23/08 in which claims 1-12 and 14-25 are pending

5        **Status of Claims**

Claims 1-12 and 14-25 are pending.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

10        The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

15        **Claim 1** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention: Claim 1 recites the limitation "the service information" in claim 1 line 16. However, "service information" is introduced in claim 1 line 3 and also in claim 1 line 12. One skilled in the art could not determine the scope of this claim because the antecedent basis for the term "the service information" in claim 1 line 16 cannot be determined. This renders the claim vague and indefinite.

20        **Claim 14** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention: Claim 14 recites the limitation "the event management service". There is insufficient antecedent basis for this term. This renders the claim vague and indefinite.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1-10, 12, 14-23, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drummond (U.S. Patent App. Pub No. 2001/0014881 A1) in view of Gatto (U.S. Patent No. 6,916,247) and further in view of Web Services Architecture, W3C Working Draft 14 November 2002 [hereinafter WSA]**

**With respect to claim 1**, Drummond teaches "A method for providing a message director service in a gaming network including gaming machines, the method comprising: sending service information for the message director service from the message director service to a discovery agent on the gaming network" in para 0131 lines 1-5, para. 0002 lines 3-9, para. 0099 lines 5-8, and Figure 2 item 40, 43, and 44 (ATMs can be gaming machines) (ATMs 44,43,40 are all coupled to a network. This is a gaming network in that all ATMs could be gaming machines); para. 0134 last 6 lines, para. 0113 lines 3-9, and para. 0114 lines 1-7 (Bus service (message director service) sends service proxy (service information) to lookup service (discovery service) during the "discovery and join" process. Lookup service is a discovery service in that other services "discover" the bus service using the lookup service. See also para. 0131 lines 1-6.)

"wherein the message director service receives an event message from one or more of a plurality of gaming clients on the gaming network" in para. 0134 last 6 lines and para 0135 lines 1-9 (User interface service (client) sends method call (event message) to bus service).

5            "and in response receiving the event message the message director service utilizes configuration data to route the event message to one or more . . . clients on the gaming network" in para. 0104 lines last 4 lines, para. 0133 last 3 lines, para. 0135 lines 1-9 (Bus service receives events from the network and routes the message to the other services. Bus service contains service proxies (configuration data) used to control the  
10 devices).

It appears Drummond fails to explicitly teach that the event messages routed by the bus service (message director service) route the event messages to one or more *gaming* clients.

15            However, Gatto teaches gaming clients receiving event messages in col. 13 lines 8-13, col. 14 lines 13-24 and the abstract.

Gatto and Drummond are analogous are because they are from the same field of endeavor—gaming machine configuration.

It would have been obvious to one skilled in the art to modify routing of  
20 messages to devices as taught in Drummond to include routing those messages to Gatto's gaming machines.

The motivation would have been to provide access to state of the art gaming machines over a network to compete with other technologies such as PC gaming and interactive TV in order to attract a younger audience to gaming. See Gatto col. 2 lines 18-22, the abstract, and col. 2 lines 25-36.

5

Drummond further teaches "determining by the discovery agent if the message director service is authentic and authorized" in para. 0128 lines 5-20 (lookup service can determine if service's transactions are "authorized" by requiring the negotiation of a new lease. The services are "authentic" if they are registered).

10 "in response to determining that the message director service is authentic and authorized, publishing service information to a service repository to make the message director service available on the gaming network" in para. 0129 lines 1-3 and para. 0117 lines 1-3 (Service information is not published (available) until discovery and join is completed).

15

Drummond also teaches a discovery agent (lookup service) receiving a discovery request from a gaming client in para. 0002 lines 1-10 (gaming machine), and para. 0059 lines 1-15 (gaming client).

It appears Drummond/Gatto fail to explicitly teach

20 "receiving by the discovery agent a discovery request **for the location of the message director service** from a gaming client" in its entirety (emphasis on what Drummond fails to teach).

However, WSA teaches receiving a discovery request from a client for the location of a message director service on p. 14 last 3 lines, p. 15 lines 1-2, p. 12 figure, and p. 14 lines 1-4 (service provider is message director service).

WSA and Drummond/Gatto are analogous art because they are from the same  
5 field of endeavor--web services.

It would have been obvious to one skilled in the art to modify the discovery request received by the discovery agent as taught in Drummond to include the location of the message director service as taught by WSA.

The motivation would have been provide a way for the requesting entity to find  
10 the description(s) of the service. See WSA p. 8 lines 14-20.

Drummond further teaches "using the service information for the message director service to register the gaming client with the message director service" in para. 0116 lines 1-10 and para. 0171 lines 7-18 (Registration of client, which is part of join  
15 and discover process, includes service proxy (service information). See also para. 0130 lines 1-10.).

"verifying that the gaming client is authorized to utilize the message director service" in para. 0171 lines 7-18 and para. 0173 lines 20-23 (Client's password is verified (validated))

20 "and processing one or more service requests between the gaming client and the message director service, said service requests conforming to an internetworking protocol" in para. 0059 lines 8-12, para. 0099 lines 8-14, and para. 0113 lines 8-11

(lookup service processes requests (which are messages) from ATM (gaming client) to communicate with services on the host system)

**With respect to claim 2**, it appears Drummond et al fail to explicitly teach “The  
5 method of claim 1, wherein the message director service *comprises a web service*”.  
(emphasis added)

However, Gatto teaches a web service in col. 15 lines 49-56. (.net and J2EE  
are commonly referred to as “web services”)

Drummond and Gatto are analogous art because they are from the same field of  
10 endeavor—gaming machines configuration.

At the time of the invention, it would have been obvious to one of ordinary skill in  
the art, having the teachings of Drummond and Gatto before him or her, to modify the  
lookup service (message director service) of Drummond to include the web services of  
Gatto.

15 The motivation for doing so would have been to provide a universal solution over  
the Internet that would offer flexible and dynamic discovery of Net/Web services. See  
Gatto col. 16 lines 13-17.

Therefore, it would have been obvious to combine Gatto with Drummond to  
obtain the invention as specified in claim 2.



**With respect to claim 3**, Gatto teaches "The method of claim 2, wherein the service request is formatted according to a service description language" in col. 15 lines 49-56

5       **With respect to claim 4**, Gatto teaches "The method of claim 3, wherein the service description language is a Web Services Description Language (WSDL)" in col. 15 lines 49-56

10       **With respect to claim 5**, WSA teaches "the method of claim 2, wherein the message director service is registered in a UDDI registry" on p. 38 first full para. lines 1-4.

**With respect to claim 6**, Drummond teaches "The method of claim 1, wherein the gaming client comprises a gaming machine" in para. 0002 lines 3-9

15       **With respect to claim 7**, Drummond teaches "The method of claim 1, wherein the gaming client comprises a service provider" in para. 0099 lines 8-14 and Fig. 2 item 44, 40, and 42 (each ATM (gaming machine) provides services such as printer services (55,61,and 75) and card reader services (54,and 60) among others)

20       **With respect to claim 8**, Drummond teaches "The method of claim 1, wherein the service request comprises a request by the gaming client to start receiving at least

one specified event message from the message director service” on para. 0119 lines 1-3 and para. 0123 lines 4-9 and Fig. 8. (Once service registers for events, it receives events)

5           **With respect to claim 9**, Drummond teaches all the elements of claim 1. It appears Drummond fails to explicitly teach “The method of claim 1, wherein the service request comprises a request by the gaming client to stop receiving at least one specified event message from the message director service.”

10           However, Gatto teaches a computer informing another computer to stop sending event notifications (messages) in col. 14 lines 24-27.

Drummond and Gatto are analogous art because they are from the same field of endeavor—gaming machine configuration.

15           At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Drummond and Gatto before him or her, to ATM machine (gaming machine) of Drummond to include the ability of the user to send a message to stop receiving events from the lookup service (message director service).

20           The motivation would have been to provide the predicted results of flexibility. Drummond teaches that in order for an ATM's services to stop receiving data from a lookup service, the ATM's service must be disconnected. See Drummond para 0128 lines 11-12. Allowing a user to stop receiving messages from a service without disconnecting allows for more flexibility by giving the program and additional way to stop receiving data from the service.

Therefore, it would have been obvious to combine Gatto with Drummond to obtain the invention as specified in claim 9.

5           **With respect to claim 10**, Drummond teaches "The method of claim 1, wherein the service request comprises a request by the gaming client to send a message to the message director service" on para. 0119 lines 1-3 and para. 0123 lines 4-9 and Fig. 8. (Once service registers for events, it receives events. Events are messages)

10           **With respect to claim 12**, Drummond teaches gaming machines and transactions representative of value. See Drummond para. 0002 1-7. However, Drummond fails to explicitly teach "The method of claim 10, wherein the event message comprises a gaming machine play event". However, it would have been obvious to one skilled in the art at the time of the invention that event messages would include gaming machine play events because transactions representative of value (wagers, etc) are commonly known the art to be required to play a game.

20           **With respect to claim 14**, Drummond teaches "A gaming network system providing a message director service, the gaming network system comprising: a plurality of gaming clients communicably coupled to the gaming network, each of the gaming clients comprising one or more processors executing from a memory a message

director service on a server computer having one or more processors and communicably coupled to the gaming network, wherein the message director service receives an event message from one or more of a plurality of gaming clients on the gaming network and in response receiving the event message the message director  
5 service utilizes configuration data to route the event message to one or more gaming clients on the gaming network" in para 0131 lines 1-5, para. 0002 lines 3-9, para. 0099 lines 5-8, and Figure 2 item 40, 43, and 44 (ATMs can be gaming machines) (ATMs 44,43,40 are all coupled to a network. This is a gaming network in that all ATMs could be gaming machines); para. 0134 last 6 lines, para. 0113 lines 3-9, and para. 0114 lines  
10 1-7 (Bus service (message director service) sends service proxy (service information) to lookup service (discovery service) during the "discovery and join" process. Lookup service is a discovery service in that other services "discover" the bus service using the lookup service. See also para. 0131 lines 1-6.) in para. 0134 last 6 lines and para 0135 lines 1-9 (User interface service (client) sends method call (event message) to bus  
15 service); para. 0104 lines last 4 lines, para. 0133 last 3 lines, para. 0135 lines 1-9 (Bus service receives events from the network and routes the message to the other services. Bus service contains service proxies (configuration data) used to control the devices).

It appears Drummond fails to explicitly teach that the event messages routed by the bus service (message director service) route the event messages to one or more  
20 *gaming* clients.

However, Gatto teaches gaming clients receiving event messages in col. 13 lines 8-13, col. 14 lines 13-24 and the abstract.

Gatto and Drummond are analogous are because they are from the same field of endeavor—gaming machine configuration.

It would have been obvious to one skilled in the art to modify routing of messages to devices as taught in Drummond to include routing those messages to

5 Gatto's gaming machines.

The motivation would have been to provide access to state of the art gaming machines over a network to compete with other technologies such as PC gaming and interactive TV in order to attract a younger audience to gaming. See Gatto col. 2 lines 18-22, the abstract, and col. 2 lines 25-36.

10

Drummond further teaches "a discovery agent on a computer having one or more processors communicably coupled to the gaming.network, wherein the discovery agent is operable to: receive service information from the event management service" in para 0131 lines 1-5, para. 0002 lines 3-9, para. 0099 lines 5-8, and Figure 2 item 40, 43, and

15 44 (ATMs can be gaming machines) (ATMs 44,43,40 are all coupled to a network. This is a gaming network in that all ATMs could be gaming machines); para. 0134 last 6 lines, para. 0113 lines 3-9, and para. 0114 lines 1-7 (Bus service (message director service) sends service proxy (service information) to lookup service (discovery service) during the "discovery and join" process. Lookup service is a discovery service in that  
20 other services "discover" the bus service using the lookup service. See also para. 0131 lines 1-6.)

"determine if the message director service is authentic and authorized for the gaming network" in para. 0128 lines 5-20 (lookup service can determine if service's transactions are "authorized" by requiring the negotiation of a new lease. The services are "authentic" if they are registered).

- 5           "publish the service information to a service repository to make the message director service available on the gaming network" in para. 0129 lines 1-3 and para. 0117 lines 1-3 (Service information is not published (available) until discovery and join is completed).

- 10           Drummond also teaches a discovery agent (lookup service) receiving a discovery request from a gaming client in para. 0002 lines 1-10 (gaming machine), and para. 0059 lines 1-15 (gaming client).

It appears Drummond/Gatto fail to explicitly teach

- 15           "wherein a gaming client of the plurality of gaming clients operable to issue a request for the **location of the message director service** to the discovery agent" in its entirety (emphasis on what Drummond fails to teach).

However, WSA teaches receiving a discovery request from a client for the location of a message director service on p. 14 last 3 lines, p. 15 lines 1-2, p. 12 figure, and p. 14 lines 1-4 (service provider is message director service).

- 20           WSA and Drummond/Gatto are analogous art because they are from the same field of endeavor--web services.

It would have been obvious to one skilled in the art to modify the discovery request received by the discovery agent as taught in Drummond to include the location of the message director service as taught by WSA.

The motivation would have been provide a way for the requesting entity to find  
5 the description(s) of the service. See WSA p. 8 lines 14-20.

Drummond further teaches "and use the service information received from the discovery agent to issue a registration request to the message director service wherein the message director service is further operable to: receive the registration request from  
10 the gaming client and" in para. 0116 lines 1-10 and para. 0171 lines 7-18 (Registration of client, which is part of join and discover process, includes service proxy (service information). See also para. 0130 lines 1-10.).

"process one or more service requests between the gaming client and the message director service, said service requests conforming to an internetworking  
15 protocol" in para. 0059 lines 8-12, para. 0099 lines 8-14, and para. 0113 lines 8-11 (lookup service processes requests (which are messages) from ATM (gaming client) to communicate with services on the host system)

**With respect to claim 15**, it appears Drummond fails to explicitly teach "The  
20 gaming network system of claim 14, wherein the message director service *comprises a web service*".

However, Gatto teaches a web service in col. 15 lines 49-56. (.net and J2EE are commonly referred to as "web services")

Drummond and Gatto are analogous art because they are from the same field of endeavor—gaming machines configuration.

5           At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Drummond and Gatto before him or her, to modify the lookup service of Drummond to include the web services of Gatto.

The motivation for doing so would have been to provide a universal solution over the Internet that would offer flexible and dynamic discovery of Net/Web services. See  
10   *Id.* and Gatto col. 16 lines 13-17.

Therefore, it would have been obvious to combine Gatto with Drummond to obtain the invention as specified in claim 15.

**With respect to claim 16**, Gatto teaches "The gaming network system of claim  
15   15, wherein the service request is formatted according to a service description language" in col. 15 lines 49-56.

**With respect to claim 17**, Gatto teaches "The gaming network system of claim  
16, wherein the service description language is a Web Services Description Language  
20   (WSDL)" in col. 15 lines 49-56.



**With respect to claim 18**, WSA teaches "wherein the message director service is registered in a UDDI registry." on p. 38 first full para. lines 1-4.

**With respect to claim 19**, Drummond teaches "The gaming network system of claim 14, wherein the gaming client comprises a gaming machine" on para. 0002 lines 3-9.

**With respect to claim 20**, Drummond teaches "The gaming network system of claim 14, wherein the gaming client comprises a service provider in the gaming network" in para. 0099 lines 8-14 and Fig. 2 item 44, 40, and 42 (each ATM (gaming machine) provides services such as printer services (55,61, and 75) and card reader services (54, and 60) among others)

**With respect to claim 21**, Drummond teaches "The gaming network system of claim 14, wherein the service request comprises a request by the gaming client to start receiving at least one specified event message from the message director service" on para. 0119 lines 1-3 and para. 0123 lines 4-9 and Fig. 8. (Once service registers for events, it receives events)

**With respect to claim 22**, it appears Drummond et al fails to explicitly teach "The gaming network system of claim 14, wherein the service request comprises a

request by the gaming client to stop receiving at least one specified event message from the message director service.”

However, Gatto teaches a computer informing another computer to stop sending event notifications (messages) in col. 14 lines 24-27.

5 Drummond and Gatto are analogous art because they are from the same field of endeavor—gaming machine configuration.

At the time of the invention, it would have been obvious to one of ordinary skill in the art, having the teachings of Drummond and Gatto before him or her, to ATM machine (gaming machine) of Drummond to include the ability of the user to send a  
10 message to stop receiving events from the lookup service (message director service).

The motivation would have been to provide the predicted results of flexibility. Drummond teaches that in order for an ATM's services to stop receiving data from a lookup service, the ATM's service must be disconnected. See Drummond para 0128 lines 11-12. Allowing a user to stop receiving messages from a service without  
15 disconnecting allows for more flexibility by giving the program and additional way to stop receiving data from the service.

**With respect to claim 23**, Drummond teaches “The gaming network system of claim 14, wherein the service request comprises a request by the gaming client to send  
20 a message to the message director service” in para. 0119 lines 1-3 and para. 0123 lines 4-9 and Fig. 8. (Once service registers for events, it receives events. Events are messages)

**With respect to claim 25**, Drummond also teaches gaming machines and transactions representative of value. See Drummond para. 0002 1-7. However, Drummond fails to explicitly teach "The gaming network system of claim 23, wherein the event message comprises a gaming machine play event". However, it would have been obvious to one skilled in the art at the time of the invention that event messages would include gaming machine play events because transactions representative of value (wagers, etc) are commonly known the art to be required to play a game.

**Claims 11 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drummond (U.S. Patent App. Pub No. 2001/0014881 A1) in view of Gatto (U.S. Patent No. 6,916,247) and further in view of WSA as applied to claims 10 and 14 above and further in view of Brown (U.S. Patent Application Pub. 2003/0110242).**

**With respect to claim 11**, it appears Drummond, et al fails to explicitly teach "The method of claim 10, wherein the event message conforms to an XML format"

However, Brown teaches using XML to send information from one program to another in para. 0010 lines 1-7.

Drummond and Brown are analogous art because they are from the same field of endeavor—configuration of program services.

At the time of the invention, it would have been obvious to one of ordinary skill in the art having the teachings of Drummond and Brown before him or her, modify the messages in Drummond to conform to the XML format.

The motivation would have been to provide the predicted results allowing  
5 programs to communicate with each other regardless of the platform they run on. See Brown para. 0010 lines 10-14.

Therefore, it would have been obvious to combine Gatto with Drummond to obtain the invention as specified in claim 11.

10 **With respect to claim 24**, it appears Drummond et al. fail to explicitly teach "The gaming network system of claim 14, wherein the event message conforms to an XML format."

However, Brown teaches using XML to send information from one program to another in para. 0010 lines 1-7.

15 Drummond and Brown are analogous art because they are from the same field of endeavor—configuration of program services.

At the time of the invention, it would have been obvious to one of ordinary skill in the art having the teachings of Drummond and Brown before him or her, modify the messages in Drummond to conform to the XML format.

20 The motivation would have been to provide the predicted results allowing programs to communicate with each other regardless of the platform they run on. See Brown para. 0010 lines 10-14.

Therefore, it would have been obvious to combine Gatto with Drummond to obtain the invention as specified in claim 24.

### ***Response to Arguments***

5

#### **101 Rejections of Claims 14-18 and 20-25**

These rejections have been withdrawn in view of Applicant's amendments.

#### **112 Rejections of Claims 11-12 and 24-25**

These rejections have been withdrawn in view of Applicant's amendments.

10 However, the newly amended claims have necessitated a new 112 rejection. See above.

#### **102 Rejections of Claims 1-4, 6, 8-9, 14-17, 19, and 21-24**

Applicant's arguments with respect to these claims have been considered but are moot in view of the new ground(s) of rejection above.

#### **15 103 Rejections of Claims 2-4, 9, 15-17, 22, and 25**

Applicant's arguments with respect to these claims have been considered but are moot in view of the new ground(s) of rejection above.

20

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within  
5 TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later  
10 than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Albert Phillips whose telephone number is 571-270-3256. The examiner can normally be reached on Mon-Fri. 9:30am-7pm; First Fri Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's  
15 supervisor, James K. Trujillo can be reached on (571)272-3677. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.  
20 Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Albert Phillips/  
Examiner, Art Unit 2169 2/2/09

/R. T./  
Examiner, Art Unit 2167

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/HUNG Q. PHAM/  
Primary Examiner, Art Unit 2169